

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CISCO SYSTEMS, INC.,

Case No. 5:14-cv-05344-BLF (NC)

Plaintiff,

VERDICT FORM

v.

ARISTA NETWORKS, INC.,

Defendant.

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When answering the following questions and filling out this Verdict Form, please follow the directions provided throughout the form. Your answer to each question must be unanimous. Some of the questions contain legal terms that are defined and explained in detail in the Jury Instructions. Please refer to the Jury Instructions if you are unsure about the meaning or usage of any legal term that appears in the questions below.

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VERDICT FORM

1 **YOUR ANSWERS MUST BE UNANIMOUS**

4 **Copyright Infringement: User Interfaces**

5 1. Has Cisco proven that Arista infringed any of Cisco's user interfaces?

6 Yes No
7 (For Cisco) (For Arista)
8 X _____

11 **IF YOU ANSWERED "YES" TO QUESTION 1, PLEASE ANSWER QUESTION 2.**

12 **IF YOU ANSWERED "NO" TO QUESTION 1, PLEASE GO TO QUESTION 6.**

15 2. As to the user interfaces you found to be infringed in Question 1, has Arista proven any of the
16 following?

18 Yes No
19 (For Arista) (For Cisco)
20 a. Fair use _____ X
21 b. Scènes à faire X _____
22 c. Merger _____ X

25 **IF YOU ANSWERED "NO" TO EVERY LINE OF QUESTION 2, PLEASE GO TO
26 QUESTIONS 3 AND 4 AND ANSWER BOTH.**

27 **IF YOU ANSWERED "YES" TO ANY LINE OF QUESTION 2, PLEASE GO TO
28 QUESTION 5.**

3. What amount of lost profits damages is Cisco entitled to recover as a result of Arista's copyright infringement of Cisco's user interfaces, if any?

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PLEASE GO TO QUESTION 4.

4. What amount of Arista's profits is Cisco entitled to recover as a result of Arista's copyright infringement of Cisco's user interfaces, if any?

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PLEASE GO TO QUESTION 5.

5. As to the user interfaces you found to be infringed in Question 1, has Arista proven any of the following?

Yes _____ **No** _____

(For Arista)

(For Cisco)

a. Abandonment

X

b. Copyright misuse

X

PLEASE GO TO QUESTION 6.

Copyright Infringement: Technical Manuals

6. Has Cisco proven that Arista infringed any of Cisco's technical manuals?

Yes **No**

(For Cisco) (For Arista)

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PLEASE GO TO QUESTION 7.

Patent Infringement

7. Has Cisco proven that Arista directly infringed claims 1 and/or 14 of the '526 patent?

Yes _____ **No** _____

(For Cisco) (For Arista)

a. **Claim 1**

Y

b. Claim 14

X

PLEASE GO TO QUESTION 8.

8. Has Cisco proven that Arista induced infringement of claims 1 and/or 14 of the '526 patent?

Yes **No**

(For Cisco) (For Arista)

a. Claim 1

X

b. Claim 14

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PLEASE GO TO QUESTION 9.

9. Has Cisco proven that Arista contributorily infringed claims 1 and/or 14 of the '526 patent?

Yes _____ **No** _____

(For Cisco) (For Arista)

a. **Claim 1**

1

No

b. Claim 14

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X

**IF YOU ANSWERED "YES" TO ANY LINE ON QUESTIONS 7, 8, OR 9, PLEASE
ANSWER QUESTIONS 10 AND 11.**

IF YOU ANSWERED "NO" TO EVERY LINE OF QUESTIONS 7, 8 AND 9, PLEASE GO TO THE END OF THIS VERDICT FORM AND SIGN AND DATE IT.

10. What amount of damages do you award Cisco for Arista's patent infringement?

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PLEASE GO TO QUESTION 11.

11. Has Cisco proven that Arista willfully infringed the '526 patent?

Yes No

PLEASE SIGN AND DATE BELOW.

Presiding Juror

Date: 12/14/16